

Notice of Allowability

Application No.

10/604,734

Examiner

Lori L. Coletta

Applicant(s)

MATTSSON ET AL.

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to Application filed on 13 August 2003.
2. ☒ The allowed claim(s) is/are 1-8.
3. ☐ The drawings filed on _____ are accepted by the Examiner.
4. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☒ None of the:
 1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☒ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☒ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date _____
7. ☒ Examiner's Amendment/Comment
8. ☐ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

Lori L. Coletta

Lori L. Coletta 5/19/2004
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EXAMINER'S AMENDMENT

Priority

1. Acknowledgment is made of applicant's claim for foreign priority based on an application filed in Europe on September 20, 2002. It is noted, however, that applicant has not filed a certified copy of the (EPO) 02021024.1 application as required by 35 U.S.C. 119(b).
2. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Gigette M. Bejin on May 19, 2004.

The application has been amended as follows:

"latch mechanism (not shown)" [0016] has been changed to --latch mechanism 2c--.

"grille opening reinforcement assembly" [0018] has been changed to
--grille opening reinforcement assembly 5a--.

"14carried" [0028] has been changed to --14 carried--.

"cooling system 20" [0032] has been changed to --cooling package 20--.

Regarding claim 1:

"the first lifting member" (line 19) has been changed to --the lifting member--.

"be brought to" (lines 19 and 20) has been deleted.

"said hinges" (line 20) has been changed to --said hinges, --.

"carrying it" (line 20) has been deleted.

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"it" (line 23) has been changed to --the hood--.

Abstract:

~~The present patent application relates to a~~ A pedestrian safety device for automotive vehicle (1) having a hood (2) being hinged and releasably latched to the vehicle body. An actuator member (6) is arranged transversally inside the upper forward region of said the vehicle (1) and the ends of the actuator member respectively slideably hinged (11) in a respective inclining guide track (12a) extending rearwards within ~~said~~ the vehicle (1). The hinges (11) are arranged to carry a respective first lifting member (14) arranged to carry a respective first lifting member (14) arranged for vertical sliding in respect to the vehicle body. The first lifting members (14) are arranged below the hood (2) such that they will be brought to uplift the hood (2) in the region of its leading edge (2a) upon ~~said~~ the hinges (11) carrying it being translated up ~~said~~ the inclining guide tracks (12a) as a result of collision impact on ~~said~~ the actuator member (6).

3. The following changes to the drawings have been approved by the examiner and agreed upon by applicant:

The latch mechanism **2c** and the grille opening reinforcement assembly **5a** have been added to **Figure 1**.

In order to avoid abandonment of the application, applicant must make these above agreed upon drawing changes.

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4. The following is an examiner's statement of reasons for allowance:

The recitations of the specific features of the pedestrian safety device in claim 1 including especially the construction of the hinge having an inclining guide track affixed to the vehicle body and extending rearwards within the vehicle; an actuator member arranged transversely inside an upper forward region of the vehicle and ends of the actuator member arranged transversely inside an upper forward region of the vehicle and the ends of the actuator member being slideably hinged in the inclining guide track and the ends of said actuator member being slideably hinged in a respective inclining guide track extending rearwards within the vehicle and being fixed to the vehicle body; a lifting member arranged for vertical sliding with respect to the vehicle body, the lifting member is arranged below the hood such that the lifting member will uplift the hood upon the hinges, the hood being translated up the inclining guide tracks as a result of a frontal collision impact on the actuator member causing the hood to be displaced rearwards within the vehicle is not taught nor is fairly suggested by the prior art of record.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

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5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Lori L. Coletta whose telephone number is (703) 306-4614.

The examiner can normally be reached on Monday-Friday 6:30am-3:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Glenn Dayoan can be reached on (703) 308-3102. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Lori L. Coletta
Examiner
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Lori L. Coletta
Lori L. Coletta
May 19, 2004

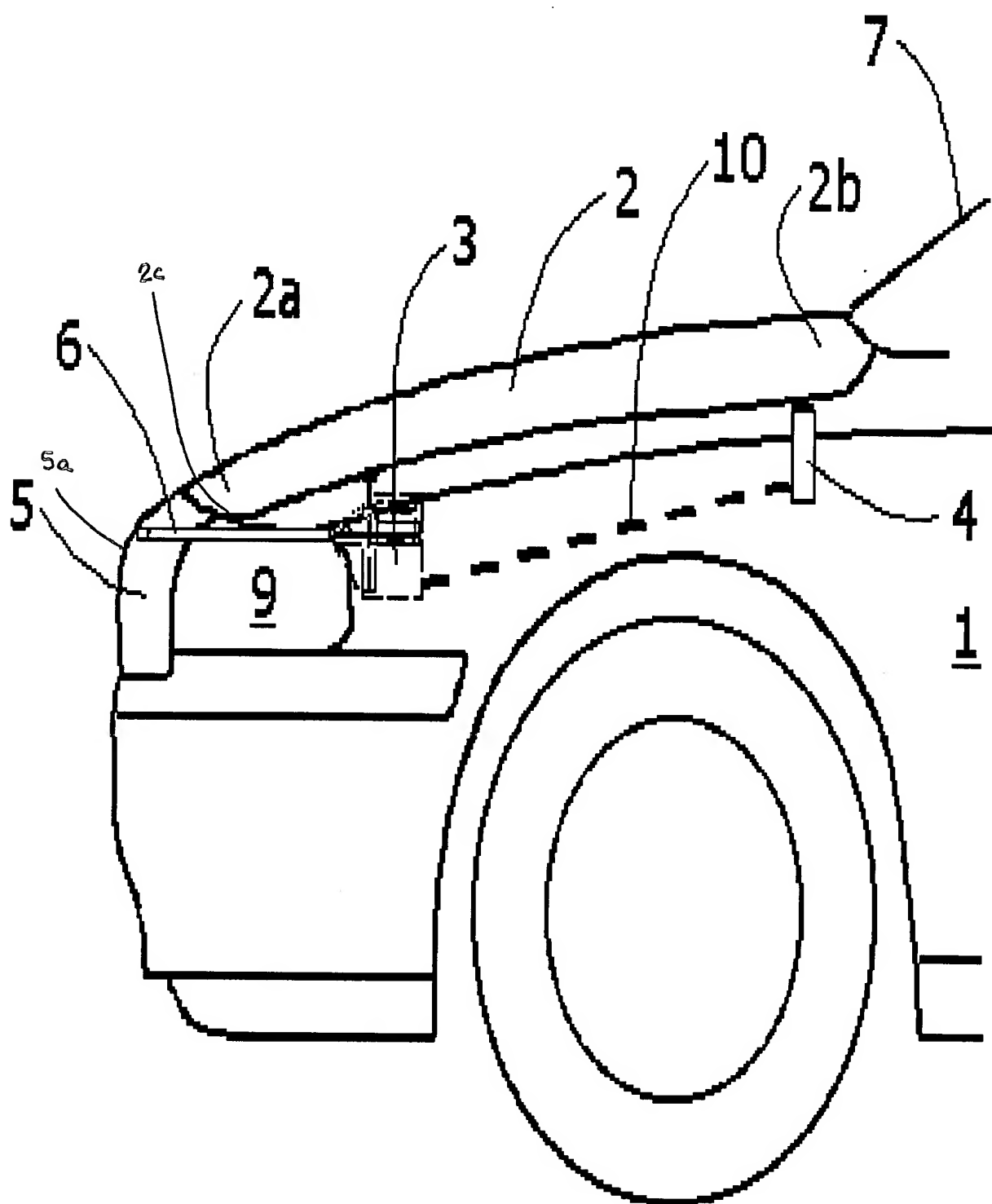


Fig. 1